



**JAMES A. BOHL JR.**  
Alderman, 5<sup>th</sup> District

May 2, 2003

To the Honorable, the Common Council

Dear Members:

Re: Common Council File 021399

Recommendation of nonrenewal based upon nonappearance of the Class "D" operator application of Tyrese D. Evans

Recommendation of renewal with a 10-day suspension based on neighborhood objection of the Class "B" Tavern and Tavern Dance renewal applications of Theresa A. Tucker for the premises at 4923 W. Villard Ave. ("Leden's Villard Inn") in the 1st Aldermanic District.

Recommendation of renewal with a 30-day suspension based upon police report of the Class "B" Tavern and Tavern Dance partnership applications of Jean Britton and Mary Greenlee for the premises at 3716 N. Dr. M.L. King, Jr. Dr ("Tap Whatever") in the 6<sup>th</sup> Aldermanic District.

With regard to the items listed above, the Utilities and Licenses Committee held an evidentiary hearing on April 29, 2003.

Pursuant to section 90-11 Milwaukee Code of Ordinances, and section 125.12(12), Wis. Stats., the Committee is transmitting a copy of its Report and Recommendations, regarding the above matters to your Honorable Body.

Pursuant to City Ordinances, prior to the time the Common Council acts on the Committee's Report, a **roll call vote will be taken** to confirm that all members present and voting have read the Committee's Report and any objections that have been filed by the Licensee.

These matters have been scheduled for a hearing before the full Common Council at its meeting on **Tuesday, May 13th, 2003** at 9:00 A.M. in the Common Council Chambers.

Respectfully,

A handwritten signature in black ink that reads "James A. Bohl Jr." in a cursive style.

James A. Bohl, Jr., Chair  
Utilities & Licenses Committee

cc: City Attorney's Office  
Common Council/City Clerk - License Division  
Milwaukee Police Department- License Investigation Unit  
All Council Members  
File No. 021399



**JAMES A. BOHL JR.**  
Alderman, 5<sup>th</sup> District

Date: May 1, 2003  
To: All Members of the Milwaukee Common Council  
From: Utilities and Licenses Committee  
Re: Report on the Renewal Application of the Class "D" Bartender License of Tyreese D. Evans

#### FINDINGS OF FACT

1. Tyreese D. Evans (hereinafter the "Licensee") is the holder of a Class "D" Bartender License in the City and County of Milwaukee, Wisconsin. Said license expired at midnight, December 31, 2002.
2. An application to renew said license was untimely filed with the Office of the City Clerk on March 12, 2003.
3. Pursuant to Chapter 90 of the Milwaukee Code of Ordinances and Chapter 125 of the Wisconsin Statutes, the matter was referred to the Milwaukee Police Department for investigation. On March 13, 2003, the Milwaukee Police Department responded with a police report that created a basis for non-renewal or suspension of said license.
4. On April 17, 2003, the City Clerk's Office provided timely notice to the Licensee pursuant to Chapter 90 of the Milwaukee Code of Ordinances and Chapter 125 of the Wisconsin Statutes of the report of the Milwaukee Police Department and included therewith a copy of the Milwaukee Police Department report. The matter was scheduled for a hearing on the Police Department report on April 29, 2003, commencing at 9:45 a.m. in Room 301B of City Hall. At said date, time and place, the Licensee failed to appear.
5. Based upon the sworn testimony heard and the evidence received at the hearing, the Committee finds the following:
  - A. Notice of the hearing as well as a copy of the police report was sent to Tyreese D. Evans at 2132 North 45<sup>th</sup> Street, Milwaukee, WI 53208 on April 17, 2003 by U.S. prepaid first-class mail in an envelope bearing the return

address of the License Division. The address of 2132 North 45<sup>th</sup> Street , Milwaukee, WI 53208 is the address given by the applicant on his application. The envelope was not returned to the License Division by the United States Postal Service. The licensee failed to appear at the hearing on April 29, 2003.

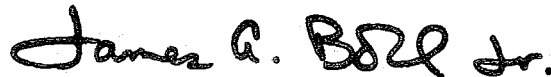
#### CONCLUSIONS OF LAW

1. The Committee has jurisdiction to hold hearings and provide Findings of Fact, Conclusions of Law and a Recommendation to the full Common Council pursuant to Chapter of the Wisconsin Statutes and Chapter 90 of the Milwaukee Code of Ordinances.
2. Based upon the above facts found, the Committee recommends that the Class "D" Bartender license of Tyreese D. Evans not be renewed because of non-appearance.

#### RECOMMENDATION

Based upon the Findings of Fact and Conclusions of Law stated above, the Committee, by a vote of four (4) ayes to zero (0) noes, recommends that the Class "D" Bartender License not be renewed based on non-appearance.

Dated and signed at Milwaukee, Wisconsin this 1<sup>st</sup> day of May, 2003.



JAMES A. BOHL, Jr., Chair  
Utilities and Licenses Committee



**JAMES A. BOHL JR.**  
Alderman, 5<sup>th</sup> District

Date: May 1, 2003

To: All Members of the Milwaukee Common Council

From: The Utilities and Licenses Committee

Re: Report of the Renewal Application of the Theresa A. Tucker, as agent for "L and T, Inc." for a Class "B" Tavern and Tavern Dance license for the premises located at 4923 West Villard Avenue in the City and County of Milwaukee, Wisconsin ("Leden's Villard Inn").

#### FINDINGS OF FACT

1. Theresa A. Tucker (hereinafter the "Licensee") is the agent for "L and T, Inc." doing business at 4923 West Villard Avenue in the City and County of Milwaukee, Wisconsin ("Leden's Villard Inn"). Said license expires at midnight, May 18, 2003.
2. An application to renew said license was filed with the Office of the City Clerk on February 5, 2003.
3. Pursuant to Chapter 90 of the Milwaukee Code of Ordinances and Chapter 125 of the Wisconsin Statutes, the matter was referred to the Milwaukee Police Department for investigation. There was a Milwaukee Police Department report dated February 6, 2003, which contained no attachments. There were neighborhood objections to litter, loitering, traffic problems, noisy patrons, public drinking by patrons of the establishment and conduct which is detrimental to the health, safety and welfare of the neighborhood.
4. On April 23, 2003, the City Clerk's Office provided timely notice to the Licensee, pursuant to Chapter 90 of the Milwaukee Code of Ordinances and Chapter 125 of the Wisconsin Statutes of the police report that could form the basis for suspension or non-renewal of the licenses of the Licensee. The matter was scheduled for a hearing on the neighborhood objections on April 29, 2003 at 11:00 a.m. in Room 301B of the third floor of City Hall. At said date, time and place the licensee appeared at the hearing and was not represented by counsel.
5. Based upon the sworn testimony heard and the evidence received at the hearing,

the Committee finds the following:

- A. At the hearing in this matter, sworn testimony was received to the effect that this premises had been warned regarding excessive noise to a neighbor within 85 feet of the premises on May 5, 2001 and further complaints were called in on January 23, 2003 and February 18, 2003 to the Department of Neighborhood Services. Representatives of the licensed premises testified that soundproofing had been installed, which, if done, was a repair, which would have required the obtaining of a permit. However, the Department of Neighborhood Services testified that no permit had been obtained for the work on this premises. Following the committee hearing and while these findings were being drafted, it was discovered that the testimony received from the Department of Neighborhood Services was partially inaccurate. In fact, only one complaint was called in to the Department of Neighborhood Services, and that was on January 12, 2003.
- B. In light of all of the partially incorrect testimony, the committee determined that either the work regarding the soundproofing had not been done, or, if it had been done, was done in such a fashion as to violate city ordinances regarding obtaining permits.

#### CONCLUSIONS OF LAW

1. The Committee has jurisdiction to hold hearings and provided Findings of Fact and Conclusions of Law and a Recommendation to the full Common Council pursuant to Chapter 125 of the Wisconsin Statutes and Chapter 90 of the Milwaukee Code of Ordinances.
2. Based upon the above facts found, the Committee concludes that the licensee, Theresa A. Tucker, as agent for "L and T, Inc." at 4923 West Villard Avenue has not met the criteria of Chapter 90 of the Milwaukee Code of Ordinances to allow renewal of her Class "B" Tavern and Tavern Dance license without undergoing a ten (10) day suspension. The Committee finds the neighborhood objections to be true.
3. In order to protect the health, safety and welfare of the citizens of the City of Milwaukee, it is the recommendation of the Utilities and Licenses Committee that the full Common Council of the City of Milwaukee should exercise its judgment to renew the Class "B" Tavern and Tavern Dance license of Theresa A Tucker, as agent for "L and T, Inc.." for this premises with a ten (10) day suspension.

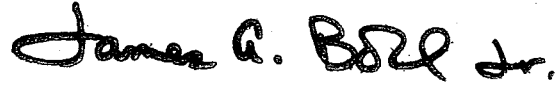
#### RECOMMENDATION

Based upon the Findings of Fact and Conclusions of Law stated above, the Committee, by a vote of four (4) ayes and zero (0) noes recommends that the

Class "B" Tavern and Tavern Dance license held by Theresa A. Tucker as agent for "L and T, Inc." be renewed with a ten (10) day suspension.

Said suspension is to be in effect from midnight, May 18, 2003 through midnight, May 28, 2003.

Dated and signed at Milwaukee, Wisconsin this 1st day of May, 2003.

A handwritten signature in black ink that reads "James A. BOHL Jr." in a cursive style.

JAMES A. BOHL, Jr., Chair  
Utilities and Licenses Committee



**JAMES A. BOHL JR.**  
Alderman, 5<sup>th</sup> District

Date: May 1, 2003

To: All Members of the Milwaukee Common Council

From: The Utilities and Licenses Committee

Re: Report of the Renewal Application of the Jean Britton and Mary Greenlee for Class "B" Tavern and Tavern Dance licenses for the premises located at 3716 North Dr. Martin Luther King Jr. Drive in the City and County of Milwaukee, Wisconsin ("Tap Whatever").

#### FINDINGS OF FACT

1. Jean Britton and Mary Greenlee (hereinafter the "Licensees") doing business at 3716 North Dr. Martin Luther King Jr. Drive in the City and County of Milwaukee, Wisconsin ("Tap Whatever"). Said license expires at midnight, May 24, 2003.
2. An application to renew said license was filed with the Office of the City Clerk on February 11, 2003.
3. Pursuant to Chapter 90 of the Milwaukee Code of Ordinances and Chapter 125 of the Wisconsin Statutes, the matter was referred to the Milwaukee Police Department for investigation. There was a Milwaukee Police Department report dated February 12, 2003, which could form the basis for non-renewal or suspension of the license. There were neighborhood objections to loitering, littering, too many incidents involving handguns occurring in and around the premises, gunshots, armed robberies, thefts, drug-related activities, public urination, speeding vehicles, traffic problems, loud music and noise, and conduct detrimental to the health, safety and welfare of the neighborhood.
4. On April 17, 2003, the City Clerk's Office provided timely notice to the Licensees, pursuant to Chapter 90 of the Milwaukee Code of Ordinances and Chapter 125 of the Wisconsin Statutes of neighborhood objections that could form the basis for suspension or non-renewal of the license of the Licensees. The matter was scheduled for a hearing on the neighborhood objections on April 29, 2003 at 10:30 a.m. in Room 301B of the third floor of City Hall. At said date, time and place, the licensees appeared and were represented by Attorney Michael

A.I. Whitcomb, 633 West Wisconsin Avenue, Suite 510, Milwaukee, Wisconsin 53203.

5. Based upon the sworn testimony heard and the evidence received at the hearing, the Committee finds the following:
- A. On December 10, 1994, at 11:55 p.m., officers of the Milwaukee Police Department conducted a tavern check at the licensed premises at 3716 North Dr. Martin Luther King Jr. Drive, in the City and County of Milwaukee, Wisconsin ("Tap Whatever"). Upon entering the tavern, officers found two underage persons sitting at the bar. Upon interviewing the bartender, Mary Greenlee, they found that they were having a birthday party and the underage persons were guests. The licensee was warned. No citations were issued.
  - B. On August 23, 1995, undercover officers were observing patrons inside of the licensed premises at 3716 North Dr. Martin Luther King Jr. Drive, in the City and County of Milwaukee, Wisconsin ("Tap Whatever"). Patrons were playing a video poker machine. The patrons would accumulate credits, and then the licensee, Mary Greenlee, would pay the patrons cash for the points accumulated. A license check revealed that over 1000 pull-tabs from New Orleans and all related licenses for the pool table, phonograph and amusement machines were not current. The licensee was cited for amusement machine license required, phonograph license required, pool table license required and display of license required. The citations with respect to amusement machine license required, phonograph license required and pool table license required were dismissed without prejudice, and the licensee pled guilty to display of license required. They were fined \$160.00 for each license not displayed. This adjudication occurred on November 13, 1995. This matter was heard by the Utilities and Licenses Committee at a renewal hearing in 1996. The license was recommended for renewal. The Common Council adopted that recommendation.
  - C. On October 20, 1999 at 12:06 a.m., officers were dispatched to Mt. Sinai Hospital to investigate a potential battery complaint. The investigation revealed that at approximately 10:00 p.m. on October 19, 1999, the victim was at the licensed premises at 3716 North Dr. Martin Luther King Jr. Drive, in the City and County of Milwaukee, Wisconsin ("Tap Whatever"). The victim was with a motorcycle group known as the "Second Page." While in the tavern, the victim was confronted by the motorcycle group as well as the "Hell Lovers." A fight broke out, and he was struck numerous times by a subject with brass knuckles. The victim was treated for a laceration to the back of his head requiring 5 stitches. He lost consciousness. He was admitted to the hospital at 11:23 p.m. on October 19, 1999. A criminal complaint was filed. The available



evidence demonstrated the victim was hit with a pool cue. The members of one of the motorcycle clubs apologized to the licensee partners for the incident.

- D. On June 14, 2000 at 12:51 a.m. officers of the MPD were dispatched to a shooting at the licensed premises at 3716 North Dr. Martin Luther King Jr. Drive, in the City and County of Milwaukee, Wisconsin ("Tap Whatever"). The investigation revealed that two victims of the "armed robbery" referenced below in paragraph "F", were in the premises. The two observed what they believed to be the suspect of that robbery. Both then opened fire on the person, striking him 8 times and causing his death. Records indicate that Mary Greenlee reported the shooting to the police.
- E. The available evidence demonstrates this incident started outside of the tavern, with the victim running toward the tavern. The victim was able to get just inside the tavern, pursued by his attackers when he was shot.
- F. On June 7, 2000 at 1:29 a.m., officers of the MPD investigated the report of a shooting that occurred at the licensed premises at 3716 North Dr. Martin Luther King Jr. Drive, in the City and County of Milwaukee, Wisconsin ("Tap Whatever"). The victim, Terrance Wolf, was being treated at St. Mary's Hospital. He related to MPD police officers that he and his cousin, Torrence Statson, got into an argument with two patrons in the bar. The argument turned into a fight, which progressed to an armed robbery and aggravated battery. The investigation revealed that there was no shooting, but there was an armed robbery and an aggravated battery.
- G. On May 5, 2001 at 1:49 a.m. officers of the Milwaukee Police Department were dispatched to a shooting at the license premises at 3716 North Dr. Martin Luther King Jr. Drive ("Tap Whatever"). Upon arrival, they discovered that there was a shooting which occurred immediately outside the tavern. While investigating that shooting, officers discovered there was an underage person inside the bar when it occurred. The underage person and the tavern owner were issued citations for an underage person. Ms. Greenlee was found guilty of that violation and fined \$346 on June 21, 2001.
- H. On October 27, 2002 at 2:08 a.m., officers of the Milwaukee Police Department were dispatched to a complaint of shots fired at 3722 North 3<sup>rd</sup> Street in the City and County of Milwaukee, Wisconsin. Upon arrival, an officer discovered 15 or 20 people standing around the victim who had been shot and was lying on the sidewalk at the address at 3722 North Dr. Martin Luther King Jr. Drive. The fire department med unit arrived on the scene to provide medical attention. The scene was safeguarded and there were altercations with several unknown actors inside the address of the

licensed premises at 3716 North Dr. Martin Luther King Jr. Drive ("Tap Whatever"). Upon going outside numerous shots were fired that resulted in five victims being shot, one of which resulted in a fatality.

#### CONCLUSIONS OF LAW

1. The Committee has jurisdiction to hold hearings and provided Findings of Fact and Conclusions of Law and a Recommendation to the full Common Council pursuant to Chapter 125 of the Wisconsin Statutes and Chapter 90 of the Milwaukee Code of Ordinances.
2. Based upon the above facts found, the Committee concludes that the licensees, Jean Britton and Mary Greenlee for the licensed premises at 3716 North Dr. Martin Luther King Jr. Drive ("Tap Whatever") have not met the criteria of Chapter 90 of the Milwaukee Code of Ordinances to allow renewal of their Class "B" Tavern and Tavern Dance licenses without undergoing a thirty (30) day suspension. The Committee finds the police report and neighborhood objections to be true and detrimental to the health, safety and welfare of the neighborhood.
3. In order to protect the health, safety and welfare of the citizens of the City of Milwaukee, it is the recommendation of the Utilities and Licenses Committee that the full Common Council of the City of Milwaukee should exercise its judgment to renew the Class "B" Tavern and Tavern Dance licenses of Jean Britton and Mary Greenlee for this premises with a thirty (30) day suspension.

#### RECOMMENDATION

Based upon the Findings of Fact and Conclusions of Law stated above, the Committee, by a vote of four (4) ayes and zero (0) noes recommends that the Class "B" Tavern and Tavern Dance licenses held by Jean Britton and Mary Greenlee be renewed with a thirty (30) day suspension.

Said suspension is to be in effect from midnight, May 24, 2003 through midnight, June 23, 2003.

Dated and signed at Milwaukee, Wisconsin this 1<sup>st</sup> day of May, 2003.



JAMES A. BOHL, Jr., Chair  
Utilities and Licenses Committee